

principally to chapter 109 (§8301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8301 of this title and Tables.

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002 and not as part of Pub. L. 85-765, which comprises this chapter.

CHAPTER 49—CONSULTATION ON AGRICULTURAL PROGRAMS

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| Sec.
1911. | Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses. |
| 1912. | Submission of legislative proposals. |
| 1913. | Authority of Secretary of Agriculture under other provisions of law and to establish and consult with advisory committees. |

§ 1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses

(a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that additional legislative authority is necessary to develop new agricultural programs involving supply adjustments or marketing regulations through marketing orders, marketing quotas, or price support programs with respect to any agricultural commodity, or to make substantial revisions in any existing agricultural legislation or programs, he may consult and advise with farmers, farm organizations, and appropriate commodity organizations, if any, for the commodity involved, to review the problems involved, the need for new legislation, and the provisions which should be included in any such proposed legislation.

(b) In addition, whenever and to the extent he deems such action necessary or desirable, the Secretary of Agriculture may consult and advise with any person or group of persons, or organizations, including farmers, handlers, processors, or others connected with the production, processing, handling, or use of the commodity involved, with respect to the problems involved and need for legislation and the provisions which should be included in any such proposed legislation.

(c) In order that the Secretary of Agriculture may be assured of being able to obtain the advice of any such person or organization, he is authorized, whenever he determines such action necessary, to pay for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses and in lieu of subsistence, a per diem in the amount authorized under subchapter I of chapter 57 of title 5 for Federal employees. No salary or other compensation shall be paid.

(Pub. L. 87-128, title I, §102, Aug. 8, 1961, 75 Stat. 295.)

CODIFICATION

In subsec. (c), "subchapter I of chapter 57 of title 5" substituted for "the Travel Expense Act of 1949" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

SHORT TITLE

Section 1 of Pub. L. 87-128 provided: "That this Act [enacting this section and sections 1013a, 1912, 1913, 1921 to 1933, 1941 to 1947, 1961 to 1968, 1969, 1970, 1971, 1981 to 1993, and 2261 of this title, amending sections 602, 608a, 608c, 608e-1, 1334, 1335, 1336, 1340, 1444b, 1446a, 1701, 1703, 1704, 1706, 1709, 1723, 1724, and 1782 of this title and section 590p of Title 16, repealing sections 1001 to 1005d, 1006c to 1006e, 1007, 1008, 1009, 1014 to 1025, 1027 to 1029 of this title, sections 1148a-1 to 1148a-3 of Title 12, and sections 590r to 590x-4 of Title 16, and enacting provisions set out as notes under this section and sections 1282, 1334, 1335, 1441, 1446, 1703, and 1921 of this title and section 590p of Title 16, and repealing Act Aug. 31, 1954, ch. 1145, 68 Stat. 999, set out as a note under former section 1148a-1 of Title 12], may be cited as the 'Agricultural Act of 1961'."

Section 101 of Pub. L. 87-128 provided that: "This title [enacting this section and sections 1912 and 1913, amending sections 602, 608a, 608c, 608e-1, 1334, 1335, 1336, 1340, and 1782 of this title and section 590p of Title 16, and enacting provisions set out as notes under sections 1334, 1340, 1441, and 1911 of this title and section 590p of Title 16] may be cited as the 'Agricultural Enabling Amendments Act of 1961'."

§ 1912. Submission of legislative proposals

If the Secretary of Agriculture, after such consultation and receipt of such advice as provided in section 1911 of this title, determines that additional legislative authority is necessary to develop agricultural programs involving supply adjustments or marketing regulations through the use of marketing orders, marketing quotas or price-support programs, he shall formulate specific recommendations in the form of proposed legislation which shall be submitted to the Congress together with a statement setting forth the purpose and need for such proposed legislation.

(Pub. L. 87-128, title I, §103, Aug. 8, 1961, 75 Stat. 295.)

§ 1913. Authority of Secretary of Agriculture under other provisions of law and to establish and consult with advisory committees

Nothing in this Act shall be deemed to limit the authority of the Secretary of Agriculture under other provision of law or to establish or consult with advisory committees.

(Pub. L. 87-128, title I, §104, Aug. 8, 1961, 75 Stat. 295.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 294, as amended, known as the Agricultural Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 1911 of this title and Tables.

CHAPTER 50—AGRICULTURAL CREDIT

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1921. | Congressional findings. |
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| 1923. | Purposes of loans.
(a) Allowed purposes.
(b) Preferences.
(c) Hazard insurance requirement. |
| 1924. | Soil and water conservation and protection. |

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	(b) Priority.	(g) Transfer of funds from Farmers Home Administration direct loan account and Emergency Credit Revolving Fund; abolition of such account and fund; payments from Agricultural Credit Insurance Fund; interest.	
	(c) Loan maximum.		
1925.	Limitations on amount of farm ownership loans.	(h) Guaranteed loans; interest rate for loans sold into secondary market; loan fees.	
	(a) In general.	(i) Coordination of assistance for qualified beginning farmers and ranchers.	
	(b) Determination of value.	(j) Guarantee of loans made under State beginning farmer or rancher programs.	
	(c) Inflation percentage.		
1926.	Water and waste facility loans and grants.	1929-1.	Level of loan programs under Agricultural Credit Insurance Fund.
	(a) In general.	1929a.	Rural Development Insurance Fund
	(b) Curtailment or limitation of service prohibited.	(a) Creation; revolving fund; rural development loans.	
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	(d) Carryover of unused authorizations for appropriations.	(c) Credits in the Treasury; investments; notes, purchasing authority of the Secretary.	
1926-1.	Repealed.	(d) Notes, issuing authority of the Secretary; use of funds; terms and conditions, form, denominations, maturities, and interest rate of notes; notes, purchasing authority of the Secretary of the Treasury; public debt transactions.	
1926a.	Emergency and imminent community water assistance grant program.	(e) Notes and security as part of Insurance Fund; collection and sale of notes and other obligations; deposit of net proceeds in Insurance Fund.	
	(a) In general.	(f) Deposit of loan service charges in Insurance Fund.	
	(b) Priority.	(g) Use of Insurance Fund.	
	(c) Eligibility.	(h) Gross income; interest or other income on insured loans.	
	(d) Uses.	1929b.	Purchase of guaranteed portions of loans; terms and conditions; exercise of authorities.
	(e) Restrictions.	1930.	Continued availability of appropriated funds for direct real estate loans to farmers and ranchers.
	(f) Maximum grants.	1931.	Repealed.
	(g) Full funding.	1932.	Rural industrialization assistance.
	(h) Application.	(a) Loans for private business enterprises; pollution abatement and control; aquaculture; solar energy; loan guarantees.	
	(i) Funding.	(b) Solid waste management grants.	
1926b.	Repealed.	(c) Rural business enterprise grants.	
1926c.	Water and waste facility loans and grants to alleviate health risks.	(d) Joint loans or grants for private business enterprises; restrictions; system of certification for expeditious processing of requests for assistance; prior approval of grant or loan; equity investment as condition for loan commitment; issuance of certificates of beneficial ownership of notes.	
	(a) Loans and grants to persons other than individuals.	(e) Rural cooperative development grants.	
	(b) Loans and grants to individuals.	(f) Grants to broadcasting systems.	
	(c) Preference.	(g) Business and industry direct and guaranteed loans.	
	(d) "Cooperative" defined.	(h) Loan guarantees for certain loans.	
	(e) Authorization of appropriations.	1933.	Guaranteed rural housing loans; Hawaiian home lands.
	(f) Regulations.	1934.	Low-income farm ownership loan program; eligibility; repayment requirements.
1926d.	Water systems for rural and Native villages in Alaska.	1935.	Down payment loan program.
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	(b) Matching funds.	(b) Loan terms.	
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1926e.	Grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes.		
	(a) Definition of eligible individual.		
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1926f.	Contracts with not-for-profit third parties.		
1927.	Repayment requirements.		
	(a) Period of repayment; interest rates.		
	(b) Payment of charges; prepayment of taxes and insurance.		
	(c) Mortgages, liens, and other security.		
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1927a.	Loan interest rates charged by Farmers Home Administration; grant funds associated with loans.		
1928.	Full faith and credit.		
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1929.	Agricultural Credit Insurance Fund.		
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	(b) Deposits of funds; investments; purchase of notes.		
	(c) Notes; form and denominations; maturities; terms and conditions; interest rate; purchase by Treasury; public debt transaction.		
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Sec. 1936.	Beginning farmer and rancher contract land sales program. (a) In general. (b) Date of commencement of program.	Sec. 1981e.	Planting and production history guidelines. (a) In general. (b) Calculation of yields.
1936a.	Use of rural development loans and grants for other purposes.	1981f.	Underwriting forms and standards.
		1982.	Relief for mobilized military reservists from certain agricultural loan obligations. (a) Definition of mobilized military reservist. (b) Forgiveness of interest payments due while borrower is a mobilized military reservist. (c) Deferral of principal payments due while or after borrower is a mobilized military reservist. (d) Nonaccrual of interest. (e) Borrower not considered to be delinquent or receiving debt forgiveness.
	SUBCHAPTER II—OPERATING LOANS	1983.	Special conditions and limitations on loans.
1941.	Persons eligible for loans. (a) Requirements. (b) Rural youths in 4-H Clubs, Future Farmers of America, etc. (c) Direct loans.	1983a.	Prompt approval of loans and loan guarantees. (a) Applications; time for action by Secretary; notice; statement of reasons. (b) Loan proceeds; time for receipt. (c) Reconsideration of applications; time for action by Secretary. (d) Approved lender designation applications; time for decision by Secretary. (e) Processing loan applications; personnel and other resources made available; use of authorities of law. (f) Graduation of seasoned direct loan borrowers to loan guarantee program. (g) Simplified application forms for loan guarantees.
1942.	Purposes of loans. (a) In general. (b) Guaranteed loans. (c) Hazard insurance requirement. (d) Private reserve.		
1943.	Limitations on amount of operating loans. (a) In general. (b) Inflation percentage.		
1944.	Soil conservation district loans; limitation; purchase of conservation equipment.		
1945.	Repealed.		
1946.	Liability of borrower. (a) Determination of interest rates. (b) Payment period; consolidation and re-scheduling of loans. (c) Line-of-credit loans.		
1947, 1948.	Repealed.		
1949.	Graduation of borrowers with operating loans or guarantees to private commercial credit. (a) Graduation plan. (b) Limitation on period borrowers are eligible for guaranteed assistance.		
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1961.	Eligibility for loans. (a) Persons eligible. (b) Hazard insurance requirement. (c) Family farm system. (d) Definitions.	1983b.	Repealed.
1962.	Loan determination factors; written credit declinations.	1983c.	Provision of information to borrowers. (a) In general. (b) Construction of section.
1963.	Purpose and extent of loans.	1984.	Taxation.
1964.	Terms of loans. (a) Maximum amount of loan. (b) Interest rates. (c) Interest subsidies. (d) Repayment. (e) Grant eligibility.	1985.	Security servicing. (a) Preservation and protection of security, lien, or priority of lien securing loan. (b) Operation or lease of realty. (c) Sale of property. (d) Easements; condemnations. (e) Real property located within Indian reservation; conservation practices; adverse effects prohibition. (f) Normal security income. (g) Easements on inventoried property.
1965.	Repealed.		
1966.	Emergency Credit Revolving Fund utilization.		
1967.	Addition to Emergency Credit Revolving Fund of sums from liquidation of loans; authorization of appropriations.	1986.	Conflicts of interests. (a) Acceptance of fees, commissions, gifts, or other considerations prohibited. (b) Acquisition of interest in land by certain officers or employees of Department of Agriculture prohibited; 3-year period. (c) Certifications on loans to family members prohibited. (d) Penalties.
1968, 1969.	Repealed.		
1970.	Eligibility for assistance based on production loss.		
1971.	Repealed.		
	SUBCHAPTER IV—ADMINISTRATIVE PROVISIONS		
1981.	Farmers Home Administration. (a) Appointment and compensation of Administrator; transfer of powers, duties, and assets pertaining to agricultural credit. (b) Powers of Secretary of Agriculture. (c) Delinquent claims and obligations.	1987.	Debt adjustment and credit counseling; "summary period" defined; loan summary statements.
1981a.	Loan moratorium and policy on foreclosures.	1988.	Appropriations. (a) Authorization. (b) Sale by lender and any holder of guaranteed portion of loan pursuant to regulations governing such sales; limitations; issuance of pool certificates representing ownership of guaranteed portion of guaranteed loan; terms and conditions, etc.; reporting requirements.
1981b.	Farm loan interest rates.		
1981c.	Oil and gas royalty payments on loans.		
1981d.	Notice of loan service programs. (a) Requirement. (b) Contents. (c) Contained in regulations. (d) Timing. (e) Consideration of borrowers for loan service programs.	1989.	Rules and regulations.

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	(a) In general.		(o) Lifetime limitation on debt forgiveness per borrower.
	(b) Debt service margin requirements.	2001a.	Debt restructuring and loan servicing for community facility loans.
	(c) Certified Lenders Program.	2002.	Transfer of inventory lands.
	(d) Preferred Certified Lenders Program.		(a) In general.
	(e) Administration of Certified Lenders and Preferred Certified Lenders programs.		(b) Conditions.
1990.	Transfer of lands to Secretary.	2003.	Target participation rates.
1991.	Definitions.		(a) Establishment.
1992.	Loan limitations.		(b) Reservation and allocation.
1993.	Repealed.		(c) Operating loans.
1994.	Maximum amounts for loans authorized; long-term cost projections.		(d) Report.
	(a) Maximum aggregate principal amounts for loans authorized.		(e) Definitions.
	(b) Authorization for loans.		(f) Implementation consistent with Supreme Court holding.
	(c) Development of long-term cost projections for loan program authorizations.	2004.	Expedited clearing of title to inventory property.
	(d) Low-income, limited-resource borrowers.	2005.	Payment of losses on guaranteed loans.
1995.	Participation and financial and technical assistance by other Federal departments, etc., to program participants.		(a) Payments to lenders.
1996.	Loans to resident aliens.		(b) Administration.
1997.	Conservation easements.	2006.	Waiver of mediation rights by borrowers.
	(a) Definitions.	2006a.	Borrower training.
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	(f) Consultations with Director of Fish and Wildlife Service.		(e) Payment.
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1998.	Guaranteed farm loan programs.	2006b.	Loan assessments.
1999.	Interest rate reduction program.		(a) In general.
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	(e) Agricultural Credit Insurance Fund use limitation.	2006c.	Supervised credit.
	(f) List of lender participants in guaranteed loan program.	2006d.	Market placement.
	(g) Foreclosure action provision in farm loan guarantees.	2006e.	Prohibition on use of loans for certain purposes.
2000.	Homestead protection.	2006f.	Rural development certified lenders program.
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	(b) Occupancy of homestead upon foreclosure, bankruptcy, or liquidation; appraisal; period of occupancy.		(b) Preferred certified lenders program.
	(c) Terms and conditions.	2007 to 2008c.	Repealed.
	(d) First right of refusal of reacquisition.	2008d.	Recordkeeping of loans by borrower's gender.
	(e) Value as measure of reacquisition payment of principal.	2008e.	Prohibition under rural development programs.
	(f) Contract authority.		(a) Prohibition.
	(g) Conflict between Federal and State law.		(b) Ensuring compliance.
2001.	Debt restructuring and loan servicing.		(c) Regulations.
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	(d) Principal and interest write-down.	2008g.	Payment of interest as condition of loan servicing for borrowers.
	(e) Shared appreciation arrangements.	2008h.	Loan and loan servicing limitations.
	(f) Determination to restructure.		(a) Delinquent borrowers prohibited from obtaining direct operating loans.
	(g) Prerequisites to foreclosure or liquidation.		(b) Prohibition of loans for borrowers that have received debt forgiveness.
	(h) Time limits for restructuring.		(c) No more than 1 debt forgiveness for borrower on direct loan.
	(i) Notice of ineligibility for restructuring.	2008i.	Short form certification of farm program borrower compliance.
	(j) Independent appraisals.	2008j.	National Sheep Industry Improvement Center.
	(k) Partial liquidations.		(a) Definitions.
	(l) Disposition of normal income security.		(b) Establishment of Center.
	(m) Only 1 write-down or net recovery buy-out per borrower for loan made after January 6, 1988.		(c) Purposes.
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| <p>Sec.</p> <p>2008m. National Rural Development Partnership.</p> <p>2008n. Rural telework.</p> <p>2008o. Historic barn preservation.</p> <p>2008p. Grants for NOAA weather radio transmitters.</p> <p>2008q. Grants to train farm workers in new technologies and to train farm workers in specialized skills necessary for higher value crops.</p> <p>2008r. Delta region agricultural economic development.</p> <p style="text-align: center;">SUBCHAPTER V—RURAL COMMUNITY
ADVANCEMENT PROGRAM</p> <p>2009. Definitions.</p> <p>2009a. Establishment.</p> <p>2009b. National objectives.</p> <p>2009c. Strategic plans.</p> <p>2009d. Rural Development Trust Fund.</p> <p>2009e. Transfers of funds.</p> <p>2009f. Grants to States.</p> <p>2009g. Guarantee and commitment to guarantee loans.</p> | <p>Sec.</p> <p>(b) Guarantee and commitment.</p> <p>(c) Limitation.</p> <p>(d) Payment of principal, interest, and costs.</p> <p>(e) Repayment contract; security.</p> <p>(f) Pledged grants for repayments.</p> <p>(g) Outstanding obligations.</p> <p>(h) Purchase of guaranteed obligations by Federal Financing Bank.</p> <p>(i) Full faith and credit.</p> <p>2009h. Local involvement.</p> <p>2009i. Interstate collaboration.</p> <p>2009j. Annual report.</p> <p>2009k. Rural development interagency working group.</p> <p>2009l. Duties of Rural Economic and Community Development State Offices.</p> <p>2009m. Electronic transfer.</p> <p>2009n. Repealed.</p> <p style="text-align: center;">SUBCHAPTER VI—DELTA REGIONAL AUTHORITY</p> <p>2009aa. Definitions.</p> <p>2009aa-1. Delta Regional Authority.</p> <p>2009aa-2. Economic and community development grants.</p> <p>2009aa-3. Supplements to Federal grant programs.</p> <p>2009aa-4. Local development districts; certification and administrative expenses.</p> <p>2009aa-5. Distressed counties and areas and nondistressed counties.</p> <p>2009aa-6. Development planning process.</p> <p>2009aa-7. Program development criteria.</p> <p>2009aa-8. Approval of development plans and projects.</p> <p>2009aa-9. Consent of States.</p> <p>2009aa-10. Records.</p> |
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- (a) Establishment.
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- (h) Compensation.
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- (j) Validity of contracts, loans, and grants.
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- 2009bb-2. Economic and community development grants.
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- 2009bb-6. Development planning process.
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- 2009bb-7. Program development criteria.
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- 2009cc-11. Examinations.
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- 2009cc-12. Injunctions and other orders.
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- 2009cc-14. Unlawful acts and omissions; breach of fiduciary duty.
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 - (a) Allocation to State rural development directors.
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§ 1921. Congressional findings

The Congress finds that the statutory authority of the Secretary of Agriculture, hereinafter referred to in this chapter as the “Secretary,” for making and insuring loans to farmers and ranchers should be revised and consolidated to provide for more effective credit services to farmers.

(Pub. L. 87-128, title III, § 301(b), Aug. 8, 1961, 75 Stat. 307.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title III of Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 307, as amended, known as the Consolidated Farm and Rural Development Act. For complete classification of title III to the Code, see Short Title note set out below and Tables.

CODIFICATION

Section is comprised of subsec. (b) of section 301 of Pub. L. 87-128. Subsec. (a) of such section 301 is set out as a Short Title note below.

EFFECTIVE DATE

Former section 300.1 of Title 6, Code of Federal Regulations, promulgated on Oct. 15, 1961, by the Adminis-

trator of the Farmers Home Administration, published in 26 F.R. 10031, provided: “The Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921) [this chapter], is hereby made effective on October 15, 1961, except (a) as to its authorizations to make and sell insured loans with 4½ percent yield to the lender and a three-year repurchase agreement which was made effective by regulations issued on September 13, 1961 (26 F.R. 9307), pursuant to assignment of functions contained in 26 F.R. 7888, and (b) that the provisions of Title IV of the Bankhead-Jones Farm Tenant Act which requires mineral reservations in lands disposed of under Title III of that Act [sections 1010 to 1012 and 1013a of this title] shall not become effective until December 7, 1961.” See section 341(a) of Pub. L. 87-128, set out as a note under this section.

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-554, § 1(a)(4) [div. B, title V, § 501], Dec. 21, 2000, 114 Stat. 2763, 2763A-268, provided that: “This title [enacting subchapter VI of this chapter and amending provisions set out as a note under section 3121 of Title 42, The Public Health and Welfare] may be cited as the ‘Delta Regional Authority Act of 2000’.”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-248, § 1, May 11, 1994, 108 Stat. 619, provided that: “This Act [amending section 1981 of this title] may be cited as the ‘Farmers Home Administration Improvement Act of 1994’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-554, § 1(a), Oct. 28, 1992, 106 Stat. 4142, provided that: “This Act [enacting sections 1935, 1936, 1948, 1949, and 2008d of this title, amending sections 1925, 1926c, 1929, 1932, 1981d, 1982, 1983, 1983a, 1985, 1989, 1991, 1994, 2003, and 5102 of this title, and enacting provisions set out as notes under sections 1929 and 1989 of this title] may be cited as the ‘Agricultural Credit Improvement Act of 1992’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-624, title XXIII, § 2301, Nov. 28, 1990, 104 Stat. 3979, provided that: “This title [see Tables for classification] may be cited as the ‘Rural Economic Development Act of 1990’.”

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-409, § 1, Aug. 28, 1986, 100 Stat. 923, provided: “That this Act [amending section 1932 of this title and enacting provisions set out as a note under section 1932 of this title] may be cited as the ‘Rural Industrial Assistance Act of 1986’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-258, title VI, § 601, Apr. 10, 1984, 98 Stat. 138, provided that: “This title [enacting section 1981b of this title, amending sections 1943, 1946, 1961, 1964, 1986, and 1994 of this title, enacting provisions set out as notes under sections 1961 and 1981 of this title, and amending provisions set out as a note preceding section 1961 of this title] may be cited as the ‘Emergency Agricultural Credit Act of 1984’.”

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-334, § 1, Aug. 4, 1978, 92 Stat. 420, provided: “That this Act [enacting sections 1929b, 1934, 1981a, 1994, and 1995 of this title and sections 2201 to 2205 of Title 16, Conservation, amending sections 1309, 1922, 1924 to 1927, 1929, 1929a, 1932, 1941 to 1943, 1946, 1961, 1964, 1968, 1981, 1983, 1991, and 2908 of this title, repealing section 1965 of this title, and enacting provisions set out as notes under this section and sections 1309, 1926, preceding 1961, and 1964 of this title and section 2201 of Title 16] may be cited as the ‘Agricultural Credit Act of 1978’.”

SHORT TITLE OF 1972 AMENDMENT

Section 1 of Pub. L. 92-419 provided: “That this Act [enacting sections 1010a, 1929a, 1931 to 1933, 1947, 1992,